

TOWN OF SULLIVAN PLANNING BOARD – JULY 11, 2017 – SPECIAL USE PERMIT
SUN CHEVY – LAKEPORT ROAD – SITE ADDITION – SITE LAYOUT PLAN – LOT #2-
SLB 33.1-1-54

The hearing was opened by Frank Park. The secretary read the notice as published in the Oneida Dispatch.

Present: Dave Allen, Sherry Menninger, Paul Jasek, Frank Park, Phil Costanzo and John Langey, atty.

Absent: John Ceresoli

Sun Chevy would like a special use permit to add additional storage to the parcel located to the east of Lot #1. This is a non-realty lot. Brian Bouchard CHA Consulting spoke before the Board about the plans for the addition.

Rex Dashinaw – lives next door – his property floods now every time it rains. They plow into his fence; the fence is on his property. His property also flooded when the bus garage was there. No one else spoke for or against this revision of a special use permit to allow expansion into a newly approved adjacent business zone. It was suggested that a ditch be placed along the DeMario property to Sun Chevy's ditch. This is a matter that the neighbor and Sun Chevy need to work out.

A motion was made by Dave Allen and seconded by Sherry Menninger to close the hearing. All in favor.

REGULAR MEETING OF THE TOWN OF SULLIVAN PLANNING BOARD – July 11, 2017

The regular meeting of the Town of Sullivan Planning Board began at 7:00PM

Present: Frank Park, David Allen, Sherry Menninger, Paul Jasek, Phil Costanzo, and John Langey, atty.

Absent: John Ceresoli

A motion was made by Paul Jasek and seconded by Sherry Menninger to accept the minutes for June 6, 2017 minutes. All in favor

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TOWN OF SULLIVAN

PLANNING BOARD RESOLUTION

UCK ONE, LLC (Owner) and SUN AUTO WAREHOUSE (Applicant) - Amendment to the August 2, 2016 Approval for a Special Use Permit to Operate a Vehicle Preparation, Detailing and Staging Business at Owner's Premises Located at 7542 Lakeport Road, Chittenango (Tax Map No. 33.1-1-54) in the Town of Sullivan in a Business District to Allow for Additional Gravel Parking Area with Security Fencing - GRANTED WITH CONDITIONS.

July 11, 2017

D. Allen moved and P. Jasek seconded the following Resolution:

WHEREAS, UCK One, LLC, as Owner, and **Sun Auto Warehouse**, as Applicant, of property located at 7542 Lakeport Road (more commonly known as Tax Map No. 33.1-1-54) in the Town of Sullivan (the “Property”), previously appealed to the Town of Sullivan Planning Board (the “Board”) on or about June 23, 2016 for a special use permit to operate a vehicle preparation, detailing and staging business, with associated parking, landscaping and drainage facilities, at the Owner’s premises in a Business District pursuant to Article V, Section 1 of the Town of Sullivan Zoning Law, as amended (the “Law”), and such application was approved on August 2, 2016 (the “Original Approval”); and

WHEREAS, the applicant now seeks to amend the Original Approval to include an expanded gravel parking area on the most easterly portion of the premises and to erect security fencing, all as described in the submitted plans; and

WHEREAS, the Applicant completed and submitted a Short Form Environmental Assessment Form and the same was reviewed and considered by the Board along with the other submissions provided by the Applicant on July 11, 2017 and the Board determined it will assume lead agency status for the purposes of the requirements of the State Environmental Quality Review Act (the “SEQRA”); and

WHEREAS, previously as part of the original approval application on July 5, 2016, the Board determined to issue a Negative Declaration for the purposes of SEQRA for the proposed Special Use Permit, such that no further environmental determinations are required for the action; and

WHEREAS, the present application was referred to the Madison County Planning Department (“MCPD”) for review and comment pursuant to General Municipal Law 239-m and said Board having issued its Recommendation Report received June 14, 2017 indicating that the matter was being returned for local determination as it will not have any negative impacts to Madison County; and

WHEREAS, after due notice by publication in the official newspaper of the Town and due notice to the Owner, Applicant, neighboring landowners and Board Members, the Town of Sullivan Planning Board held a public hearing on the application at the Board’s regular meeting held on July 11, 2017 in accordance with the law and the Zoning Law; and

WHEREAS, the Applicant's application was considered fully by the Planning Board and upon such consideration the Board hereby finds among other things that:

1. The proposed project will comply with all provisions and requirements of Article V of the Town of Sullivan Zoning Law and all of the other local laws and regulations of the Town of Sullivan and will be consistent with the purposes of the land use district in which it is located; to wit, a Business District, for this parking expansion to the vehicle preparation, detailing and staging business;
2. The proposed project location, size of use and structure has been and will continue to be in harmony with the orderly development of the Business District (including the expanded parking area) and will be consistent with the Comprehensive Plan and with the purposes of Article V of the Town of Sullivan Zoning Law because the project, as proposed, meets all parking requirements, setbacks and lot coverage requirements. Further, the proposed business use as a vehicle preparation, detailing and staging site has been entirely consistent with the land use district and surrounding properties, which have been identified as both active commercial and residential in nature;
3. The proposed amendment to the Original Approval will not be more objectionable to nearby properties than would the operation of any permitted other use and since it will not result in the release of harmful substances or any other nuisances, nor cause excessive noise, dust, odor, solid waste or glare because the project includes the necessary measures needed to minimize the possibility of the release of harmful substances. The premises have an existing oil and water separator, which is likely not to be used since the use will not involve repairs, including oil changes, to the vehicles. Further, there will be no painting of vehicles on-site, merely detailing. The Applicant has demonstrated the appropriate ability to dispose of water using the oil and water separator, all as to not adversely impact the environment. Any impacts of noise or dust will only be temporary and are not expected to be excessive;
4. The proposed project amendment will not cause undue traffic congestion, unduly impair pedestrian safety or overload existing roads, considering the current width, surfacing and condition because the site is located along the intersection of an existing public highway, Lakeport Road, and will be and has been used for similar purposes. Further, the flow of traffic in and out of the premises will be on a controlled nature rather than the prior use where there were peak times of ingress and egress. In addition, this proposed project has sufficient sight distance from all driveways;
5. Adequate public and private parking is provided and the proposed project will be accessible to fire, police and other emergency vehicles because the site provides parking in order to meet the current Zoning Code minimum requirements. The amended site plan provides for adequate access to the building for fire, police and other emergency vehicles as demonstrated through the submitted site drawings and a physical inspection of the site;

6. The location, nature and height of the building will not discourage the appropriate development and use of adjacent land and buildings or impair their value. The project, as amended to include the expanded parking area, will be suitable to such conditions on operation, design and layout of structures and provisions of screening, buffer areas and offsite improvements as may be necessary to ensure compatibility with surrounding uses and to protect the scenic resources of the Town because the site has been designed to provide the Applicant with a site that balances the compatibility with the surrounding uses and the functionality of the business operations; and

WHEREAS, the Board has fully considered all of the application materials, drawings and submissions associated with the proposed use amendment.

NOW THEREFORE, BE IT RESOLVED that the Town of Sullivan Planning Board hereby allows and grants the Applicant's request for an Amended Special Use Permit for the operation of a vehicle preparation, detailing and staging business, associated parking, landscaping and drainage facilities with expanded parking facilities and fencing, at the Owner's premises, all in specific accordance (and specifically conditioned upon compliance) with the "Sun Reconditioning Center Site Plan" documents on file as prepared by CHA Companies, to wit:

1. Existing Conditions Plan, dated April 26, 2017, as last revised;
2. Site Layout Plan, dated June 9, 2017, as last revised;
3. Site Layout Plan - Lot 2, dated May 5, 2017, as last revised;

and conditioned, however, upon the following prior approval conditions:

1. All construction and operation will be in strict compliance with the submitted plans and drawings;
2. Hours of operation shall be as proposed by the Applicant, to wit:
 - a. Monday - Friday
 - 8:00 a.m. - 7:00 p.m.
 - b. Saturday
 - 8:00 a.m. - 2:00 p.m.
 - c. Sunday - ClosedNo change to hours shall be allowed without prior approval of the Planning Board.
3. There shall be no sales or service (including painting) of vehicles on or from the site;
4. No outside storage other than vehicles shall be permitted;

5. All cars located on the site will be part of the Owner's active sales inventory and each car will have to demonstrate the ability to be operated on a highway (proof of this may be through registration, insurance, inspection, etc.). There shall be no long-term storage of vehicles on-site and no "junk" vehicles. Also allowed are employee vehicles;
6. Parking surfaces will be as shown on the plans and will be patched, resealed and striped, unless otherwise indicated;
7. There shall be appropriate screening of the dumpster;
8. All road cuts shall be as approved by the Town/County Highway Superintendent, as required, it being noted that the site does have pre-existing road cuts;
9. Drainage will be addressed as demonstrated on the submitted plans;
10. Signage: Signage shall be limited to parking and directional signage to delineate vehicle movement as indicated in the application;
11. Applicant shall maintain no junk cars on the site;
12. Lighting will be pursuant to the plans and will be shielded so as to not spill onto neighboring properties or interfere with traffic along adjoining highways;
13. Deliveries will be through the main entry point, such that the back entrance will be a secondary entry point; and

BE IT FURTHER RESOLVED that the Applicant shall comply in all respects with the Zoning Law; and

BE IT FURTHER RESOLVED that the Town's Zoning Officer is hereby authorized and directed upon payment of any required fees (including reasonable and necessary professional fees incurred by the Town in association with the application) to issue such permits and certificates or to take such other actions as may be required to effectuate and enforce this Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall be effective as of the date of its filing with the Town Clerk and shall be subject to annual inspection for compliance.

The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

John Ceresoli	Excused	-----
Dave Allen	Voted	YES
Sherry Menninger	Voted	YES
Paul Jasek	Voted	YES

Frank Park, Chairman

Voted

YES

The Chairman, Mr. Park, then declared the Resolution to be duly adopted.

FRANK PARK, Chairman of the Planning Board of the Town of Sullivan, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on July 11, 2017, a quorum being present.

FRANK PARK, CHAIRMAN

Town of Sullivan Planning Board

CHARLOTTE A. FERSTLER, Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in her office on July ___, 2017.

CHARLOTTE A. FERSTLER

Town Clerk

JAMES AND JOAN PERKINS – 7591 BRIDGEPORT –KIRKVILLE ROAD, KIRKVILLE-31-1-26.21

Mr. & Mrs. Perkins owned a one acre lot on the Bridgeport-Kirkville Road and in 1988, they added an additional seven acres. This property is bordered by the overpass of the Thruway. The original house on lot #101 is 1.63 acres and has a right-of-way on the B-K Road bordering the other property. There is also a house and barn on lot #100 on 7.24 acres. The Perkins received a variance from the ZBA for road frontage. The Perkins are keeping Lot #100 and selling lot #101. This property is in an Ag zone.

A motion was made by Dave Allen and seconded by Sherry Menninger to schedule a two lot subdivision at 7591 Bridgeport-Kirkville Road. The hearing will be held on August 1, 2017 at 6:45PM. All in favor.

TETRO-TECH SANSONE SOLAR PROGERT – FOREFRONT POWER – 7702 BRIDGEPORT-KIRKVILLE ROAD – SLB 31-1-18

Brian Maliszewski and Drew Lent, the project managers for Forefront Power and Tetra Tech appeared before the Board to discuss plans for a community solar project on land owned by James Sansone. This solar project will take place on 12.3 acres on Bridgeport-Kirkville Road. There will be minor tree removal. Mr. Maliszewski explained that panels are screwed into the ground- and hook into the existing utility network. This property is in an Ag zone. This project will need site plan review and a special use permit. The project managers showed the proposed

design – using the same entrance as the utility company. The entire project will be enclosed with fencing and the panels will be facing south. The panels will be 8’ to 10’ high and the fence will also be 8’ to 10’ high. They will use the existing utility poles.

They will need NYS Thruway to sign off on the project.

Barton & Logouidice needs to review a copy of the plans.

The project managers will return with maps.

PDD – BROWN PROPERTY – ROUTE 31, BRIDGEPORT - FORMER GOLF COURSE AND HOME

Chairman Park explained a PDD as a mix use of residential and business on the same parcel.

The Town Board makes the decision on the PDD; the Planning Board only makes recommendations to the Town Board.

Brian Mathey represents Ray Carney, the potential purchaser of the property. He wants one house and one business in the PDD. The limit of a PDD is 20 acres. 80 acres will be outside the PDD. Mr. Mathey presented a map showing the limited PDD – the existing drive will service the house and two proposed buildings to be built on this property. The proposed owner will also have a gravel lot.

No subdivision is included in this request.

Mr. Carney will update the existing buildings for his business. He plans to have 7-10 employees. Hours will be 6AM to 7PM. He needs to show any type of screening on his plans.

The Town Board will be lead agency.

The Planning Board will make talking points for the Town Board. Mr. Langey, atty, will present it to the Town Board. A copy of these recommendations are in the file.

A motion was made by Sherry Menninger and seconded by Paul Jasek to make a positive recommendation to the Town Board. All in favor.

A motion was made by Dave Allen and seconded by Sherry Menninger to adjourn the meeting at 8:30PM. All in favor.

Respectfully submitted